

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MELVIN DUKES,

Plaintiff, No. CIV S-10-1393 EFB P

vs.

B. HEDRICK, et al.,

Defendants. ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. Although filed on a form for a petition for writ of habeas corpus, plaintiff alleges his civil rights have been violated as a result of his conditions of confinement at Salinas Valley State Prison.

A civil action, other than one based on diversity jurisdiction, must be brought in “(1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought.” 28 U.S.C. § 1331(b).

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Here, most defendants are located in and the claims arose in Monterey County, California, which is in the Northen District of California. 28 U.S.C. § 84(a). Therefore, in the interest of justice, this action is transferred to the United States District Court for the Northern District of California. *See* 28 U.S.C. § 1404(a); *Starnes v. McGuire*, 512 F.2d 918, 932 (D.C. Cir. 1974).

So ordered.

Dated: June 21, 2010.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE